

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE**

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SNMP RESEARCH, INC. and SNMP
RESEARCH INTERNATIONAL, INC.,

Plaintiffs,

v.

BROADCOM INC.; BROCADE
COMMUNICATIONS SYSTEMS LLC; and
EXTREME NETWORKS, INC.,

Defendants.
----- X

Case No. 3:20-cv-00451-CEA-DCP

U.S. District Judge Charles E. Atchley

STIPULATION

Defendant Extreme Networks, Inc. (“Extreme”), on the one hand, and Plaintiffs SNMP Research, Inc. and SNMP Research International, Inc. (collectively, “SNMP Research”), on the other hand, stipulate that:

Extreme has produced through discovery in the instant litigation various versions of source code which are listed below in Exhibit A (herein referred to as “Version” or “Versions”). The Versions have been and are compiled and linked into a binary form (*i.e.*, object code) which can be run by computer hardware. Herein, the binary form of source code refers to the object code produced by the compilation and linking of a Version of the source code.

Each and every Extreme product identified in Extreme’s response to Interrogatory 1 that is listed below in Exhibit A (herein, “Listed Extreme Product” or “Listed Extreme Products”), contains or has contained one or more Versions in binary form which is then run by the Listed Extreme Product.

Each and every Listed Extreme Product that previously shipped or ships to a customer contains one Version in binary form. By this Stipulation, Extreme represents that each particular Version in binary form includes the binary form of every line of source code originating from SNMP Research (*i.e.*, lines in those files including the SNMP Research copyright notice) that is included in that particular Version's source code. For example, without limitation, Version 17r.1.00 is one of multiple Versions that previously shipped or ships to customers in binary form with the SLX 9540 Listed Extreme Product, and by this Stipulation, Extreme represents that Version 17r.1.00 in binary form includes the binary form of every line of source code originating from SNMP Research (*i.e.*, lines in those files including the SNMP Research copyright notice) that is included in the source code for Version 17r.1.00.

This stipulation is made for purposes of liability, damages, and profits disgorgement in the instant litigation only.

DATED: August 15, 2023

Respectfully Submitted,

/s/ John L. Wood

John L. Wood, Esq. (BPR #027642)
Cheryl G. Rice, Esq. (BPR #021145)
Rameen J. Nasrollahi, Esq. (BPR #033458)
EGERTON, McAfee, ARMISTEAD &
DAVIS, P.C.
900 S. Gay Street, Suite 1400
P.O. Box 2047
Knoxville, TN 37902
(865) 546-0500 (phone)
(865) 525-5293 (facsimile)
jwood@emlaw.com
crice@emlaw.com
masrollahi@emlaw.com

A. Matthew Ashley (CA Bar. No. 198235)
Morgan Chu (CA Bar. No. 70446)
David Nimmer (CA Bar. No. 97170)
Olivia L. Weber (CA Bar. No. 319918)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
(310) 277-1010 (phone)
(310) 203-7199 (facsimile)
mchu@irell.com
dnimmer@irell.com
mashley@irell.com
oweber@irell.com

Attorneys for Plaintiffs
SNMP Research International, Inc. and
SNMP Research, Inc.

/s/ Saurabh Prabhakar

John M. Neukom (*admitted pro hac vice*)
Abraham Tabaie (*admitted pro hac vice*)
Barbara N. Barath (*admitted pro hac vice*)
Saurabh Prabhakar (*admitted pro hac vice*)
Alicia J. Ginsberg (*admitted pro hac vice*)
DEBEVOISE & PLIMPTON LLP
650 California Street
San Francisco, California 94108
atabaie@debevoise.com
jneukom@debevoise.com
bnbarath@debevoise.com
sprabhakar@debevoise.com
ajginsberg@debevoise.com
(415) 738-5700

Leslie A. Demers (*admitted pro hac vice*)
Chris J. Coulson (*admitted pro hac vice*)
Anthony P. Biondo (*admitted pro hac vice*)
Ryan P. Bisailon (*admitted pro hac vice*)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
One Manhattan West
New York, New York 10001
leslie.demers@skadden.com
chris.coulson@skadden.com
anthony.biondo@skadden.com
ryan.bisailon@skadden.com
(212) 735-3000

Attorneys for Extreme Networks, Inc.

Exhibit A

Listed Extreme Products:

SLX 9140; SLX 9240; SLX 9540; SLX 9640; SLX 9150; SLX 9250; SLX 9850; SLX 9030; SLX 9740; VDX 6740; VDX 6940; VDX 8770; Extreme 8520; and Extreme 8720.

Versions:

NOS versions 4.1.3d2; 5.0.2c2; 5.0.2c3; 5.0.2c4; 6.0.2c1; 6.0.2d; 6.0.2e; 6.0.2e_cvr; 6.0.2f; 6.0.2g; 6.0.2h; 6.0.2h_cvr; 6.0.2ha; 6.0.2hb; 7.0.1; 7.0.2; 7.0.2a; 7.0.2b; 7.0.2ba; 7.0.2c; 7.0.2ca; 7.0.2d; 7.1.0a; 7.1.0aa; 7.1.0b; 7.1.0b2; 7.1.0ba; 7.2.0; 7.2.0a; 7.2.0a1; 7.2.0a2; 7.2.0a3; 7.2.0b; 7.2.0c; 7.2.0c_cvr; 7.2.0ca; 7.2.0cb; 7.2.0cc; 7.2.0d; 7.2.0da; 7.2.0db; 7.2.0dc; 7.2.0e; 7.2.0f; 7.2.0fa; 7.2.0g; 7.2.0ga; 7.2.0gb; 7.3.0; 7.3.0a; 7.3.0aa; 7.3.0ab; 7.3.0ac; 7.3.0ad; 7.3.0b; 7.4.0; 7.4.0a; 7.4.0ab; 7.4.0ba; 7.4.1; 7.4.1ab; 7.4.1c; 7.4.1ca; 7.4.1d; 7.4.1e; and 7.4.1f_cvr.

SLXOS versions 17r.1.00; 17r.1.00a; 17r.1.01; 17r.1.01_cvr; 17r.1.01a; 17r.1.01a1; 17r.1.01ac; 17r.1.01ad; 17r.1.01ae; 17r.1.01af; 17r.1.01ag; 17r.1.01ah; 17r.1.01aj; 17r.1.01b; 17r.1.01ba; 17r.1.01bb; 17r.1.01bc; 17r.2.00; 17r.2.01; 17r.2.01_cvr; 17r.2.01a; 17r.2.01a_cvr; 17r.2.01aa; 17r.2.03; 17s.1.00; 17s.1.00a; 17s.1.01; 17s.1.02; 17s.1.02a; 17s.1.02b; 17s.1.02c; 18r.1.00; 18r.1.00_cvr; 18r.1.00a; 18r.1.00aa; 18r.1.00ab; 18r.1.00ac; 18r.1.00ad; 18r.1.00au; 18r.1.00b; 18r.1.00c; 18r.1.00ca; 18r.1.00ca_cvr; 18r.1.00cb; 18r.1.00cc; 18r.1.00cd; 18r.1.00ce; 18r.1.00cf; 18r.1.00cg; 18r.1.00cg_cvr; 18r.1.00ch; 18r.1.00cj; 18r.1.00d; 18r.1.00da; 18r.1.00db; 18r.1.00dc; 18r.1.00dd; 18r.1.00e; 18r.1.00ea; 18r.1.00eb; 18r.1.00f; 18r.1.00g; 18r.1.00ga; 18r.1.00gb; 18r.1.00h; 18r.1.00j; 18r.1.00j_cvr; 18r.1.00ja; 18r.1.00jb; 18r.1.00k; 18r.2.00; 18r.2.00a; 18r.2.00aa; 18r.2.00ab; 18r.2.00ac; 18r.2.00ad; 18r.2.00b; 18r.2.00ba; 18r.2.00bb; 18r.2.00bc; 18r.2.00bd; 18r.2.00be; 18r.2.00bf; 18r.2.00bg; 18r.2.00bh; 18r.2.00bj; 18r.2.00c; 18r.2.00ca; 18r.2.00d; 18s.1.00; 18s.1.01; 18s.1.01a; 18s.1.01b; 18s.1.01ba; 18s.1.01c; 18s.1.01c_cvr; 18s.1.01ca; 18s.1.01cb; 18s.1.01d; 18s.1.02; 18s.1.03; 18s.1.03_cvr; 18s.1.03a; 18s.1.03a_cvr; 18s.1.03ab; 18s.1.03b; 18s.1.03b_cvr; 18s.1.03c; 18s.1.03ca; 18s.1.03d; 18s.1.03da; 18x.1.00; 18x.1.00a; 18x.1.00b; 18x.1.00ba; 18x.1.00bb; 18x.1.00bc; 18x.1.00c; 18x.1.00d; 20.1.1; 20.1.1_cvr; 20.1.1aa; 20.1.2_cvr; 20.1.2a; 20.1.2a_cvr; 20.1.2b; 20.1.2c; 20.1.2d; 20.1.2da; 20.1.2e; 20.1.2e_cvr; 20.1.2ea; 20.1.2eb; 20.1.2ec; 20.1.2f; 20.1.2g; 20.1.2h; 20.1.2j; 20.2.1; 20.2.1a; 20.2.1aa; 20.2.2_cvr; 20.2.2a; 20.2.2a_cvr; 20.2.2b; 20.2.2b_cvr; 20.2.2ba; 20.2.2bb; 20.2.2c; 20.2.3; 20.2.3_cvr; 20.2.3a; 20.2.3a_cvr; 20.2.3ab; 20.2.3b; 20.2.3b_cvr; 20.2.3ba; 20.2.3c; 20.2.3c_cvr; 20.2.3ca; 20.2.3d; 20.2.3ea; 20.2.3fa; 20.2.3g; 20.2.3h; 20.2.3j; 20.2.3j_cvr; 20.2.3ja; 20.3.1; 20.3.1_cvr; 20.3.2; 20.3.2a; 20.3.2ab; 20.3.2ac; 20.3.2ad; 20.3.2ae; 20.3.2b; 20.3.2c; 20.3.2ca; 20.3.2d; 20.3.2d_cvr; 20.3.2e; 20.3.2e_cvr; 20.3.3; 20.3.4; 20.3.4a; 20.3.4a_cvr; 20.3.4ab; and 20.3.4ac.